

02-27-'04 11:09 FROM-Lerner & Greenberg

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T-479 P10/12 U-460

Appl. No. 09/677,545
Amdt. Dated February 27, 2004
Reply to Office Action of December 1, 2003

REMARKS

Reconsideration of the application is requested.

Claims 1, 3-16, 18-22, and 24 remain in the application.

Claims 1 and 10 have been amended. Applicants appreciatively acknowledge the Examiner's statement in item 4 on page 5 that claims 20-22 and 24 are allowed and that claim 23 is objected to in the above-identified final Office Action. Claims 2, 17, and 23 have been canceled to facilitate prosecution of the instant application.

More specifically, in item 1 on page 2 of the above-identified final Office Action, claims 1, 3, and 9 have been rejected as being obvious over U.S. Patent No. 5,937,296 to **Arnold** (hereinafter **Arnold**) in view of U.S. Patent No. 4,949,138 to **Nishimura** (hereinafter **Nishimura**) and further in view of U.S. Patent No. 6,180,480 to **Economikos, et al.** (hereinafter **Economikos**) under 35 U.S.C. § 103(a).

In item 1 on page 4 of the above-identified final Office Action, claims 4-8 have been rejected as being obvious over **Arnold**, **Nishimura**, **Economikos**, and further in view of U.S. Patent No. 6,277,681 to **Wallace, et al.** (hereinafter **Wallace**) under 35 U.S.C. § 103(a).

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Applicants respectfully traverse the rejection of claim 7, because claim 7 is dependent on allowed claim 20 and is in condition for immediate allowance.

Moreover, the applicants also appreciatively acknowledge the Examiner's statement that claim 23 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants have incorporated claim 23 into independent claims 1 and 10. As such, amended claims 1 and 10 include all of the limitations of the base claim and any intervening claims related to former claim 23. Claims 1 and 10 are therefore also believed to be patentable over the art. The dependent claims 3-6, 8, 9, 11-16, 18 and 19 are also believed to be patentable as well because they all are ultimately dependent on claims 1 and 10.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 10, or 20. Claims 1, 10, and 20 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 1, 10, and 20.

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In view of the foregoing, reconsideration and immediate allowance of claims 1, 3-16, 18-22, and 24 are solicited.

In the event the Examiner should still find any of the remaining claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested, as it is believed to place the application in better condition for appeal, without requiring extension of the field of search.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099. Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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KHF:cgm

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